

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Patent Application of:
Dragan Sretenovic

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Conf. No.: 3667 : Group Art Unit: 2142
Appln. No.: 09/709,916 : Examiner: Thong H. Vu
Filing Date: November 9, 2000 : Attorney Docket No.: 1521-190US

MAR 02 2004

Title: SYSTEM AND METHOD FOR COMMUNICATING, MONITORING AND
CONFIGURING A DEVICE OPERATIVELY CONNECTED TO A NETWORK

REQUEST FOR RECONSIDERATION

This Request for Reconsideration is in response to the Office Action mailed February 13, 2004 (Paper No. 3) and is being filed within the shortened statutory period set for a response in the Office Action.

REMARKS

After the foregoing amendment, claims 1-12, are pending in the application.

Rejection - 35 U.S.C. § 102

The Examiner rejected claims 1-12 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,652,169. Applicant respectfully traverses the rejection.

35 U.S.C. § 102(e) (2) requires, *inter alia*, that "A person shall be entitled to a patent unless the invention was described in a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent...". The filing date of the present application is November 9, 2000. The filing date of U.S. Patent No. 6,652,169 is February 20, 2002, later than the filing date of the present application. The filing of a United States patent application is considered constructive reduction to practice of an invention. Accordingly, since the date of invention of the present application precedes the filing date of U.S. Patent No. 6,652,169, the rejection of claims 1-12 under 35 U.S.C. § 102(e) is